varmapuram is there with many of the offices and there is a very good prospect of several people inhabiting the premises all round. Many houses also have already sprung up since the days of Sankarayya and there are persons living all round the Jail premises andthe village is steadily rising in importance. So that, instead of recommending the transfer of the zoo and probably along with it the museum also, in the best interests of the Trichur Municipality and its sanitation and hygiene, it seems to be particularly inappropriate that the Hon'ble Member for Anthikkad (although the name of the constituency ends in a kad) should have tabled this resolution and made insinuations which this House would not be pleased to countenance. I strongly oppose this resolution.

Deputy President.—Only two minutes more.

Dr. A. R. Menon.—Then I won't be able to finish it.

Adjournment motion re. eviction of the Valans of Thoosam.

Deputy President.—We shall take up the adjournment motion:—

"*The policy involved in the memos issued by the Government to the Valans of Thoosam to vacate their homesteads within a fortnight of the date of the memos without any payment for value of improvements and threatening them with proceedings under the Land Conservancy Regulation.*" This is the motion and Mr. Poduval will move it.

Mr. A. Sankara Poduval.—The matter is one of extreme importance and one brought forward in the interests of these poor struggling Valans. This subject has been dealt with in the discussion upon the budget contained in the Legislative Council Proceedings, Vol. III, Part 7, pages 533 to 536. Now, when the new habitation of the Valans was proposed to be built at Pachalam, the attention of this House was drawn to this subject and it was said that accommodation was contemplated to be made at Pachalam for 60 families. The newly constructed buildings, I believe, would accommodate 60 families. Another building which should, I believe, according to the calculation, accommodate another 60 or 70 more is yet to be built. Under these circumstances some of these Valans approached Government with an alternative suggestion that an unobjectionable site, a little away from the premises now occupied by them, may be assigned to them and a report was called for in regard to that subject and the Land Record Superintendent submitted a report (and that matter is dealt with in the answers to the interpellations of last Tuesday) wherein the Government say that the matter of assigning these sites can be considered only after the needs of the Railway authorities are satisfied.

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Question No. 432.—Will the Government be pleased to state whether the Valans of Thoosam who objected to shift to Pachalam have petitioned Government for permission to occupy Survey No. 257 of the Ernakulam village or any adjoining site; (b) whether any enquiry was made in the matter and report obtained; (c) why the said request of the Valans could not be sanctioned'.

Answer.—Yes. Their request can be considered only after the completion of the Railway Conversion Scheme and the delimitation of the Railway lands in the locality'.

The Land Record Superintendent who was asked to conduct an enquiry made a favourable report. While matters stood thus, a memo was issued from the office of the Cochin-Kanayannur Tahsildar. This was followed by another circular to the effect that every occupant of these huts would get a sum of Rs. 10 at the most for pulling down these huts and removing the materials thereof. This is how matters stand. The two weeks referred to therein are about to expire. Notices were not served on one and the same day upon these people. There has been some little delay and I am instructed that the period would expire within a week. It is under these circumstances that the adjournment motion has been tabled. Now the history of the grant of the site to these Valans is sufficiently referred to in the proceedings that I drew the attention of this House to. These Valans were living all round here—the Huzur Cutchery and the foreshore—and in the interests of town improvement it was thought necessary to shunt them away and this particular site at Thoosam was given to them and they were allowed to build houses at their own cost.

Dr. A. R. Menon.—For what purpose did Covernment want this site?

Mr. A. Sankara Poduval.—They are also referred to in these Proceedings. I shall read them presently. The Chief Engineer on behalf of the Government said that it was in the interests of improving the sanitation of the Ernakulam Municipality. These Valans appeared to be living in filthy and unhygienic habitations—probably there are people within the city who live amidst more offensive surroundings. Anyway, that was the objection, and it was thought necessary to drive them away from Thoosam to somewhere else. In the interests of the Ernakulam Municipality these people are now to be shunted away.

Deputy President.—Is the present ground at Thoosam a cantonment ground?

Mr. A. Sankara Poduval.—No cantonment ground. They were living there by sufferance, with the permission of the Government. On page 538 the Chief Engineer says "It has been fairly explained how this shifting would improve the town and also how it will help in making use of a valuable site in Ernakulam fo more important purposes such as the storage of the Burma oil, etc

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Many of the Valans are also glad to go to Pachalam. I therefore request the Hon'ble Member to understand the question in its proper light and withdraw his motion". When this motion was brought, it was pointed out that some of them, about half the total number, were alone willing to shift and the others were not willing. A question was put as to what they propose doing with these people and the Government assured this House that compensation will be paid with regard to improvements. On Page 535 :—

"Mr. P. KRISHNA MENON.—This is intended for the accommodation of 50 or 60 families who have agreed to shift. Has any provision been contemplated in the case of those Valans who are not willing to shift ?

Mr. V. K. ARAVINDAKSHA MENON.—They will be paid compensation for the huts. They will have to vacate ".

Now compensation was definitely promised and what sort of compensation would be granted is also referred to here, a few paragraphs below:—

" The exact method of compensating those who are not going to Pachalam has not yet been settled. We are now only constructing huts for those who have consented to go to Pachalam".

As it is, the situation put in a nutshell is this. About 60 to 65 families are provided with new habitations at Pachalam. As many families remain to be provided for. At the instance of the Diwan Peishkar a notice was issued to these Valans, to all of them, not the 65 alone, dated 6th Kumbham 1108, but served upon them about 7 to 10 days ago giving them 2 week's time to quit. They are told that if they are not willing to shift of their own accord proceedings under the Land Conservancy Regulation would be taken. This is a curious Regulation—The Land Conservancy Regulation IV of 1096. It may be remembered that the site at Thoosam was supposed to be a gift to the Valans prompted by the benevolence of the revered abdicated Maharaja. They were asked to go away from the neighbourhood of the Public Offices and in compensating them they were provided with free quarters, with free sites at Thoosam whereon they put up their own huts. Some of them are small huts. Some of them are decent houses. There is a Bhajana Madhom. There is a Co-operative institution at Thoosam. All these have been referred to in the discussions here.

Dr. A. R. Menon.—What does the Member mean by gift ?

Mr. A. Sankara Poduval.—No money was received from them. They were allowed to occupy those places free of rent. They put up their own buildings, no rent was taken from them and the Municipal amenities of life were provided for them. Regulation IV of 1096 has no manner of application to this matter. In section 5 it is distinctly stated that " From and after the commencement of this Regulation it shall not be lawful for any person to occupy a land which is the property of Goverament whether

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poramboke or not without permission from the Government or such other officer of Government as may be empowered in this behalf." First of all this occupation was with permission. Secondly, this occupation was long before Regulation IV of 1096 was passed and the Land Conservancy Regulation cannot, by any stretch of imagination, apply to this case. Now what is the procedure? A notice would be issued first. If the occupant does not quit, the matter will be reported to the Diwan Peishkar and he will hold a summary enquiry. If the Diwan Peishkar finds that the obstruction was wrong or not justifiable, he is empowered to issue a warrant in pursuance of which constables may remove these persons and take them to the Central Jail and keep them there for 30 days. That is section 8. "The Diwan Peishkar shall hold an enquiry into the facts of the case and if satisfied that the resistance or obstruction still continues may issue a warrant for the arrest of the said person and on his appearance may send him with a warrant in the form of the schedule for imprisonment in the Central Jail for such period not exceeding 30 days as may be necessary to prevent the continuance of such obstruction or resistance. Provided that no person so committed or imprisoned under this section shall be liable to be prosecuted under sections 169, 172 and 174 of the Cochin Penal Code in respect of the same facts". Now what have the poor Valans done to merit this punishment? The notice distinctly states that, if they do not quit within 2 weeks, proceedings would be taken under the Land Conservancy Regulation. First of all the Land Conservancy Regulation is inapplicable. Of course, the Executive Heads of Departments do not always act in conformity with law. The procedure will be followed and it will be too late to cry over spilt milk. Whatever that be, this is a case in which upon the floor of this House it was promised that value of the improvements would be paid to these occupants. These structures are not huts. As I said, they are houses. I may also parenthetically state that these houses were valued by the Revenue Department and the village officers have submitted a report. Now I am not in a position to say exactly how much the valuation comes to. The figures ranged from 10 to 2,000 rupees for each homestead.

Now these Valans live from hand to mouth. They have been very useful to the public; during the monsoon times when boats capsise in the lake, these Valans are very serviceable. They have saved many a life for the last 10 or 12 years and even in the last year they have been helpful in rescue work. Now, whatever that be, let us examine the principle of the order with a sense of humanity. Since His Highness, the abdicated Maharaja of revered memory, allowed these people a free site and allowed them to put up their homesteads, if, in the interests of the Ernakulam Municipality, they should now be driven away, is it not just, is it not fair, is it not equitable

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that they should be paid the value of the improvements they effected? The poorer the man, the smaller the hut constructed and the non-payment of the trifle in the shape of value of improvements is a greater hardship to him than for a rich landlord who may or may not receive value of improvements. So that this is a very high-handed, unconscionable, inequitable procedure and there is after all no urgency about the matter. Suppose provision is seen made for 65 families. 65 may shift. What about the rest? Are they to be dirven to the streets? There is an alternative proposal pending with the Government. An alternative proposal was made to the Diwan that they may be paid roughly Rs. 200 each upon a co-operative basis, the amount being repayable in 10 years with a small rate of interest. This proposal too, so far as the Valans know, remains still undisposed of. It is in these circumstances that the order is made. What is to be done now? In another 7 days' time the proceedings under the Land Conservancy Regulation would be started. Then they may have either to defy the law or they may have to quit the place. First of all, it is not a case in which Government made provision for all these 140 families, living at Thoosam.

Rama Varmha Tampuran.—May I remind the House that it was the Hon'ble Member himself who suggested that no provision should be made for these 83 houses. It was on that basis that we omitted it.

Mr. A. Sankara Poduval.—On the other hand, I would myself correct the Hon'ble Member. I withdrew my cut motion because the Chief Engineer made a distinct assurance that huts would be constructed only if they are willing to shift. That is the position to which we still adhere. If you have constructed houses for 60 or 65 families let them be asked to shift. Assign lands out of Survey No. 257 or from any other plot of land and ask the rest of them to put up houses. That is the position we still adhere to. There is no earthly meaning in saying "We have provided only for 65 families and yet we desire all the 140 families to quit the place. You have provided for the 65 who originally agreed to go; even these 65 families did not agree to give up their value of improvements. Therefore, I want to clear these facts, to place these facts before the House in their inhuman nakedness. I would also point out the great danger that the Government would be embarking upon in taking proceedings under the Land Conservancy Regulation.

Mr. George Chakyamuri.—I support this motion. Unfortunately I was not present when the discussions took place during the last session about this matter. As a matter of fact they have never agreed to go. I will state the facts. These Valans, as it has already been brought to the notice of the

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House, were occupying some of the most important parts of Ernakulam and they were allowed to do so not for nothing. They were then exclusively used for the purpose of rowing boats when the members of the Royal House used to make their journeys in those days when motor boats and motor cars were not available and their services were also exclusively used by the then Agents to the Governor-General and other important State guests for the same purpose. When these localities were taken by the Government for various purposes they were shifted to Thoosam. Thus ultimately they happened to settle down in this place called Thoosam.

Our Government recently entered into an agreement with Burmah Shell Co., and agreed to give 4 acres of land to them in the most important part of Ernakulam. As a member of the Standing Finance Committee I raised my voice of protest that it was very unfair that this 4 acres of land, in one of the most important parts of Ernakulam, should be given to a foreign concern. Then I was told that the Government was realising Rs. 20,000 per acre. But I said that I could find purchasers for the same place at the rate of Rs. 30,000 or Rs. 40,000 because it was the most important part of Ernakulam. It was a very unwise policy on the part of the Government to agree to give these lands when the Harbour is just developing. We have after all only 60 or 80 acres of backwater frontage for Ernakulam and by parting with 4 acres we are selling 1/20th of Ernakulam to a European concern. I entered my emphatic protest but the Government did not heed. They had agreed to give this part of Ernakulam to a European concern. They could not get out of this.

The Valans who are living there must be appeased. They went and acquired some land in Vaduthala. Not one of them agreed to go there. Not one of them was consulted. They started constructing houses without consulting any of these Valans. They are not mere cattle or chattel to be shunted from place to place. They are occupying the present site and Government had allowed them to do so. They have effected improvements and it is the duty of the Government to give value for those improvements. Some of them have houses costing about Rs. 2,000, some Rs. 500 and some may be mere huts. If all on a sudden, these people are compelled to quit after demolishing their houses, what will be their position? Some of them have mortgaged their buildings for Kuri and other obligations. Who will pay their debts? It is the ruling of the Chief Court that even trespassers are entitled to value of improvements in certain

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cases. I do not think any one of the Hon'ble Members here will agree to turn away people like this, as if they are mere cattle. Valans are more than 20 thousand strong in the State, and those in Thoosam form an important part of that community, coming to nearly 1,500 people. I may assure the Government that they are not willing to go and if I have anything to advise them I will only advise them not to go.

What happened further was this. After the acquisition of the site one section among them appeared before the Diwan and said that they were willing to go to the present site if more important sites were not going to be given to any among them. They agreed to go on two distinct conditions: (1) that they should be given full value for their improvements, (2) and that they should be given 6 cents of land each where they would build their own houses. Should they not have some five or six cents of land? They wanted only six cents of land per family and they agreed to pay up the value by instalments. Can any demand be more reasonable than this? They also agreed to build according to the plans of the Government, so that rules of sanitation may not be infringed. Instead of heeding to their very modest request, the Government rushed on with their scheme of constructing 63 houses, all of the same size and each standing on a plot of 3 cents of ground. Why because the agreement had already been signed with a European firm and the inconvenient Valans should be got rid of as soon as possible. Now there are among them people of varying means, some living in houses costing Rs. 2,000 and above and some others in mere huts. Why should all these people be forced to live in similar houses and how can a family of any means get on in a place of 3 cents?

In the first place, my respectful submission is it was the bounden duty of the Government to have consulted these people before incurring all these expenditure. Unless you create a prison there, and take all the people by force, you cannot force the people to go and live in a particular place. I can understand the Police Commissioner asking the Police men to live in the Police Barracks. Even there, he can force only men, not women and children. I submit it was a very unwise act on the part of the Government. If the Government acted foolishly, they must repent. The Valans are hon'ble citizents of the State; I will say as Hon'ble as any of the Hon'ble Members here and they should not be treated as mere cattle. This is an act which all the Hon'ble Members in this House will unanimously protest against. Give them five or six cents of lands and allow them to build their own houses. They have been in this nomadic stage for a number of years doing work like menials. Treat them at least hereafter with some consideration. I humbly advise

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the Government to solve this question by calling a committee of responsible men from them and some Members of this House and settle the question amicably rather than launch upon a campaign which will, I warn the Government, end in a *Pulival*.

Dr. A. R. Menon.—I shall take it for granted that the statements enumerated here by the two previous speakers are substantially true.

Rama Varmha Tampuran.—Sir, the same question cropped up during the last Budget Session and it was more or less fully debated in one of the cut motions then. Why these people from Thoosam have been requested to move to a place called Pachalam was explained in detail and the House knows the full details of it. It was not simply to favour any foreign company. It was mainly to increase the trade of the Port and bring a substantial revenue from petrol duty. The idea was not to sell it for any agricultural purpose or for any residential quarters. It was to put up the Burmah Shell Oil Tanks; and from the oil imported we expect to get a good share of income by way of import duty. At present it goes to Bombay or to Madras or to Colombo. The whole revenue will hereafter come to us. That was the main idea behind this new scheme.

Mr. K. Ayyappan.—But we get the oil at a costlier price.

Rama Varmha Tampuran.—Naturally it must be at less cost. Therefore, it was with that main idea that the scheme was started and I am sure that the whole House will endorse that the Government position was absolutely correct in that respect.

Then came the question of what to do with the people who are already living in that place. Since, as we all know, these people are very poor, the Government thought the best way will be to start an ideal colony. A suitable place was decided upon. It is about 2½ miles further north. The lands required were acquired and the plans of typical houses were prepared.

Dr. A. R. Menon.—Two and a half mile from where?

Rama Varmha Tampuran.—From Thoosam. That is also on the side of the backwater. Houses costing Rs. 350 each have been proposed to be built and 63 or so of them have been completed. The remaining will be completed very soon. The people who are occupying Thoosam are occupying it under special terms and in their agreements they have consented to hand over the site to the Government whenever the Government wanted it. Therefore it was not thought necessary at all to ask them where they would like to go to. Of course, they might like to remain at Ernakulam. They have not agreed to go to Pachalam but we thought, after due consideration, that Pachalam will be the most suited place for this sort of people. The Gov-

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ernment consulted the Diwan Peishkar and he was also of opinion that this is the most suitable place. That is then how Pachalam came to be selected. It is near the backwaters and it is very convenient for the fishing class and an ideal colony could be started there. So I do not see how there can be any objection to the idea of vacating the land called Thoosam or of requesting them to go and reside at Pachalam.

Then came a set of people I think the western section—they are divided into the western section and the eastern section—who did not want to go out. The other class did not protest. They said that they did not like to go to Pachalam. The people who protested against it were 83 in number. As soon as we knew that they did not want to go we did not build houses for these 83 families. It was with that idea that the scheme was restricted in scope. Only 63 houses have now been ordered to be built. That position was fully explained during the budget session. So far as the Government could see, they have not done anything irregular or done anything unjust in either vacating this land or in providing 63 houses at a suitable place for those who were willing to move.

Then comes the question of compensation. As I explained to the House before, these people have been occupying the site under special licenses, and according to clause 4 of that they are to vacate it whenever Government want them to do so. I must remind the House that this will not be the only class of people or the only instance where there will be licenses of this sort. Throughout the whole State there will be many instances of such sort. If we show a special consideration to one set of people here we will have naturally to extend it to other licensees under the Government. That would be taking upon the Government undue responsibility. So we thought we will confine ourselves to the provisions of the law and go by its exact provisions; because if we go beyond it in one instance, we will have to extend it to other instances throughout the whole State. That will be too large a commitment too. This is how the payment of compensation had to be dropped.

Then another point raised by the Hon'ble Member for Palliviruthi was, 'who knows that they may not be asked to go out of Pachalam after a few years'? It is just to prevent that contingency that an ideal colony scheme was drawn up so far as Pachalam settlement was concerned. The houses were to be built in certain particular types. There should be public roads between them. There should be a sufficient number of public latrines. There should also be a school. All these provisions were made so that a time may not come when they will have to shift from

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that place. The Government are spending Rs. 40,000 and there will be no occasion, I am sure, to ask them to go away after 10 or 12 years. It is just to remove that misapprehension that this ideal colony scheme has been started. Therefore I do not think that a charge can be brought against the Government on this point.

Mr. A. Eachara Menon.—Is it the opinion of the Government not to give any compensation for their improvements?

Rama Varmha Tampuran.—Yes. It is the opinion of the Government Advocate and I am sure that the Government Advocate will explain his position fully. To sum up, the scheme has been started in the interests of the Government. It was not to favour any particular company. It was mainly to increase the trade of the Port. That point the House should never miss. We will get additional petrol duty without any further committment. The company will build oil tanks and they will be bringing petrol and we get cost for the site at Rs. 200 a cent. Rs. 200 is a fair value.

Dr. A. R. Menon.—Will it not fetch a better value?

Rama Varmha Tampuran.—It is impossible to put a prospective value that may be fetched after 20 or 25 years.

Mr. E. Ikkanda Warriar.—Do they pay tax every year?

Rama Varmha Tampuran.—Yes. Rs. 2 per cent. The scheme will bring to the Government a very substantial revenue and the Valans were asked to go to Pachalam because at least the parties for whom houses are provided did not protest against it at the time the houses were built.

With regard to the question of compensation it is impossible to pay one class of people in one part of the State without paying the same to the same class of people all over the State.

With regard to the last point that they are likely to be driven from the place, I am sure that such a contingency will never arise. It is just to prevent that danger that an ideal scheme has been started. So, I request the House to reject the motion.

Mr. Joseph Pettah.—In respect of that ideal colony did the Government offer to give the Valans the right to settle in houses as permanently as their own?

Rama Varmha Tampuran.—If they will pay the cost of the House at least on easy terms the Government will have no objection to part with their proprietory right.

Mr. P. S. Kesavan Nambudiri.—Is it one of the terms of the agreement that Valans, when they settle at Thoosam, are not entitled to get compensation for their improvements?

Rama Varmha Tampuran.—Clause (4) of the license says so.

Mr. P. S. Kesavan Nambudiri.—Is it the practice that when anyone occupies the Government land and if the Govern-

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ment want the land from him no compensation should be given him for improvements made there? Then they are different from the ordinary jenmies.

Rama Varmha Tampuran.—Yes. In the present case we are governed by a special covenant.

Mr. K. Achyuta Menon.—The parties have entered into a contract prior to a certain date, prior to 1087. There is a certain provision in the Tenancy Regulation, clause 19, that all contracts made prior to 26th Kumbham 1087 should be respected by courts. If a person contracts with another that he need not be paid compensation and if that happens to be prior to 26th Kumbham 1087 he will not, in law, get value of improvements

Dr. A. R. Menon.—After listening to the three speeches I have come to certain conclusions as to the motives that prompted the Government to vacate these people from the place where they were living. About the legal aspect of the question of compensation, I think we are bound to accept the opinion of the Government Advocate and I shall be the last man to question that. But there is another aspect of the question. When any foreign company comes here and dictates to the Government that the people who were horn here and who lived on this land for centuries should be shifted to make convenience for their business, this Government, knowing the complications and its difficulties, have not even the boldness to enter into an emphatic protest against this procedure.

Rama Varmha Tampuran.—It was not dictated.

Dr. A. R. Menon.—Yes, I know. If the name of the Burmah Oil Company was changed to Rama & Co or Krishna & Co, you would have been so very anxious to kick out those fellows. It is because the Burmah Oil Company dictated to you that you wanted to send them out in such a hurry. You were in a hurry to send them out bag and baggage—to send them away with an indecent haste to another place to which they are not willing to go. Now the Government say that they have the right to take the land. I quite understand that the agreement must be observed But there is a moral justification apart from the legal justification of your procedure. With whom have you entered into a contract? With whom are you fighting? With the people who live by catching fish? Because a rich company comes and says, this is a suitable place for our trade, this would pay a dividend of 80 per cent to our share holders' the Cochin Government send these people away to favour the company. You have not the boldness or the decency to enter an emphatic protest, to turn them out bag and baggage, to send them away without any consideration whatsoever Now you come and tell us there is an agreement. But have you not got a moral obli-

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gation ? If you are disinclined to express that view, will you give us some other lands at the rate of Rs. 200 for an Indian Company? We will show you some other site.

Now, what is the other point ? This petrol seems to have done a lot of damage to the poor country. Not to speak of those who have sold their ancestral property to buy busses, this petrol seems to have completely ruined these poor Valans. Because of the presence of the petrol, they are shifting from this place to Pachalam and such other places. Because of the Burmah Oil tanks and their big funnels the Cochin Government, in a spirit of fright, ask these poor people to go away within a fortnight. When you see a European you are frightened. You can only threaten us or frighten the people of Cochin. But you will not be able to stand against a single petty European. Now because the Burmah Oil Company comes these poor Valans are shunted to other places, because you want to favour the Company. It is a shame that we are reduced to the position that we occupy today? I do not blame you in not putting up a fight before you surrender your own birth-right. Do you think that the non-officials would have yielded so complacently? That is the reason why we say that there must be non-officials to sit with you—not simply to sit in the motor cars but simply to strengthen you. You appoint ministers who will be responsible to the vote of this House. When you have no strength these non-officials will be able to give you some strength.

I do not want to enter into details. If you are legally entitled to vacate them you are morally obliged to give them ample compensation and give them some satisfaction and also make them think that after all it is not a horror to live in a State like this. At least let it not be an intolerable horror.

Mr. M. K. Raman.—To my mind it appears that the Government could not have done a more foolish thing than what they have done now. Without asking the Valans whether they want or not, the Government spent Rs. 40,000 for acquiring sites and constructing houses and the result now is that the Valans are unwilling to go there. And to ask them to go and live in a place 2½ miles away from the town will be making them starve. There is a difference of opinion even with regard to this question of colonisation. Some people think that keeping them in an isolated place will not be for their betterment. Whatever might be the view held by the Government, there are people who hold that opinion. In fact you are not giving them facility to mingle with other people, when you shunt them all to such an isolated place, as if they are plague-striken people. Now after having purchased this plot and having constructed a number of houses, you want to force them to live there. That is a very

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hard thing. I cannot understand any justification why this Government should have entered into such a scheme without asking them and getting their opinion whether they are willing to have that place. Without that, you have spent a lot of money unnecessarily. Nowsee what is taking place. Because they are unwilling to go here, they are forced to remove their houses and asked to receive each Rs. 20. I think the position of the Government is extremely unjustifiable. There cannot be any moral justification even if there is anything legal. Probably the Government Advocate can say that there is a contract and that contract be binding on them. Whatever may be your contract there is your moral obligation. Some of them have put up houses costing Rs. 2,000, some Rs. 500 and some may be mere huts. To ask them to remove all those houses on a payment of Rs. 10 is simply unconscionable. I cannot think of a more atrocious policy. Give them the cost of their houses and some small amounts just to enable them to go and find suitable places for them to live. I request the Government to consider it more seriously. It is not a small matter. This involves about a 1000 people in the town left at large. If you are going to make these people discontented, it will be a regular nuisance.

മിസ്റ്റർ കെ. അയ്യപ്പൻ.—സർ, ഈ വാലന്മാർക്ക് അവരുടെ സ്ഥലത്തിനു വില കൊടുത്തില്ലെങ്കിലും അവരെ അപമാനിയ്ക്കേണ്ട ആവശ്യം ഉണ്ടായിരുന്നില്ല. അവരെ അവിടെനിന്നും മാറുവാനുള്ള കാരണം അവർ വളരെ വൃത്തികെട്ട ആളുകൾ ആയതുകൊണ്ടാണെന്ന് ഗവമ്മെണ്ടു റിക്കാർഡുകളിൽ രേഖപ്പെടുത്തിയിരിയ്ക്കുന്നു. തൃശ്ശൂള്ള വാലന്മാരേക്കാൾ വളരെ വൃത്തികെട്ടവരായ ആളുകൾ അവിടെനിന്നും കുറച്ചുകൂടി തെക്കോട്ടു വന്നാൽ മറ്റു സമുദായങ്ങളിലും കാണുന്നുണ്ട്. അവിടെയുള്ളതിനേക്കാൾ അൺസാനിറ്ററിയായിട്ടുള്ള സ്ഥലങ്ങൾ ഈ എറണാകുളത്തുതന്നെ ധാരാളമുണ്ട്. തൃശ്ശൂർ താമസിയ്ക്കുന്ന വാലന്മാരും ഈ എറണാകുളം ടൌണിൽ ഉൾപ്പെട്ടിട്ടുള്ള ജനങ്ങൾതന്നെയാണ്. അവരെ വലിച്ചെറിഞ്ഞിട്ട് ശുചിയുണ്ടാക്കുകയാണെങ്കിൽ അതു്, വലിയ അന്യായമായിരിയ്ക്കും. അവർ അധികംപേരും ഈ ടൌണിൽതന്നെ ജോലിചെയ്ത ജീവിതം കഴിയ്ക്കുന്നവരായതുകൊണ്ടു് അവരെ വൃത്തികെട്ടവരാണെന്നു പറഞ്ഞു മാറുവാൻ വിചാരിയ്ക്കുന്നതുതന്നെ വലിയ അബദ്ധമാണു്. പക്ഷെ ആ കാരണംകൊണ്ടല്ല അവരെ മാറുന്നതു് എന്നുള്ള പരമാർത്ഥം നമുക്കെല്ലാവർക്കും അറിയാം. ബഹുമാനപ്പെട്ട ഒരു മെമ്പർ ഇവിടെ പറഞ്ഞതുപോലെ ബ്രിട്ടീഷ് ആയിൽ കമ്പനിക്കാർക്കു സ്ഥലം കൊടുക്കുന്നതിനുവേണ്ടിയാണു് അവരെ മാറുന്നതു്. ആ കാരണം ഇവിടെ പറയുന്നില്ല. ബ്രിട്ടീഷ് ആയിൽ കമ്പനി വന്നുകഴിഞ്ഞാൽ ഈ രാജ്യത്തു തേനും പാലും ഒഴുകുമെന്നു സിക്കുട്ടറി അവർകളും പറ

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യുകയുണ്ടായി. ബമ്മു അയൽ കമ്പനി മാത്രം ഇവിടെ ഉണ്ടായാൽ നമ്മുടെ കയ്യിൽനിന്നും കൂടുതൽ വിലകൊടുത്തു് അവരുടെ എണ്ണ വാങ്ങേണ്ടിവരും. ഇപ്പോൾ ഇൻഡ്യാക്കാരുടെ കമ്പനിയുള്ള ഇൻഡ്യയുടെ മറ്റുഭാഗങ്ങളിൽ പെട്രോളിനു് ടിന് ഒന്നരക്കു് ഒന്നോ രണ്ടോ രൂപാ കുറവുണ്ടു്. അതുകൊണ്ടു് അമിതമായും, അക്രമമായും, അനാവശ്യമായും വിദേശകമ്പനികൾക്കു ഇവിടെ സൌകര്യങ്ങൾ ചെയ്തുകൊടുത്തു നാടൻ കമ്പനികൾക്കു അഭിവൃദ്ധിപ്പെടുവാൻ സാധിയ്ക്കാത്ത നിലവരുത്തിയാൽ അതിൽപ്പരം നമ്മുടെ രാജ്യത്തിന്റെ ക്ഷേമത്തിനു ഹാനികരമായി മറെറാന്നുംതന്നെ വരുവാനില്ല.

പിന്നെ തുടർന്നു താമസിയ്ക്കുന്നവരെല്ലാം മീൻ പിടിത്തക്കാരാണെന്നു് അതും വിചാരിയ്ക്കേണ്ടാ. ഈ തൊണിൽതന്നെ വേല ചെയ്യുന്നവരാണു് അധികംപേരും. റിക്ഷാവണ്ടി വലിയ്ക്കുന്നവരും ആഫീസുകളിൽ ജോലിനോക്കി വരുന്നവരും അവരിൽ പലരുമുണ്ടു്. പച്ചാളത്തു് സ്വന്തം വീട്ടുകാർക്കു താമസിയ്ക്കാമെന്നുണ്ടെങ്കിൽ അതുപോലെയും പേർ അവിടെ താമസിച്ചുകൊള്ളട്ടെ. അതിലേയ്ക്കു് അവരും സർവ്വമെണ്ടും തമ്മിൽ എന്തെങ്കിലും ഒരു കൺട്രാക്ടു് ചെയ്തുകൊള്ളട്ടെ. ബാക്കിയുള്ളവർക്കു് അവിടെ നിന്നും മാറുന്നതിനു് ഫോർ. പ്രതിഫലം കൊടുക്കാമെന്നു പറയുന്നതു് അക്രമമാണു്. ഒരിയ്ക്കൽ ദിവാൻ മിസ്റ്റർ ഹെർബർട്ടു് ഇവിടെ നിന്നും പോഞ്ഞിക്കരക്കു പോകുന്നതിനു ബോട്ടു വരായ്കയാൽ ഒരു വാലന്റെ വള്ളത്തിൽ കടക്കയുണ്ടായി. അഞ്ചുറുപ്പികയുടെ നോട്ടാണതെ വാലനു് അദ്ദേഹം കൂലി കൊടുത്തതു്. അദ്ദേഹത്തിന്റെ സർവ്വമെണ്ടു് ഒരു വീടു പൊളിച്ചുകൊണ്ടു മാറികൊടുക്കുന്നതിനു് ഫോർ. വീതം കൊടുത്താൽ മതിയെന്നു നിശ്ചയിച്ചു എന്നുള്ളതു വിശ്വസിയ്ക്കുവാൻ സാധിയ്ക്കുന്നില്ല. നെത്യാരമ്മമാർക്കും മറ്റും സ്ഥലങ്ങൾ വാങ്ങികൊടുപ്പാനായി എത്രായിരം രൂപായാണു് നമ്മുടെ സർവ്വമെണ്ടു ചിലവാക്കിവരുന്നതു്! അതെല്ലാം നല്ലപോലെ സർവ്വമെണ്ടാലോചിയ്ക്കുണം. മനുഷ്യർ എല്ലാവരും മനുഷ്യർതന്നെയാണു്. മനുഷ്യരായി ജനിച്ചിട്ടുള്ള സകലർക്കും ഈ ലോകത്തു ജീവിയ്ക്കുണം. പണക്കാരെ സംബന്ധിച്ചു് ഉദാരവും സാധുക്കളെ സംബന്ധിച്ചു് പിശുക്കുകൂടിയതുമായ നയമല്ല സർവ്വമെണ്ടു് എടുക്കേണ്ടതു്. സർവ്വമെണ്ടിന്റെ കാളനി സ്ഥാപിച്ചു് അതിന്റെ ചിലവിലേയ്ക്കു ർ,ooo രൂപാ അനുവദിച്ചിട്ടുണ്ടെന്നു പറഞ്ഞു. ആ സംഖ്യ മുഴുവനും ചിലവാക്കുന്നുണ്ടോ?

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രാമവമ്മതമ്പുരാൻ.—ഇല്ല.

മിസ്റ്റർ പി. കുമാരനെഴുത്തശ്ശൻ.—പ്രതിഫലം കൊടുത്തിട്ടുള്ള സംഖ്യ എത്രയാണെന്നു് വിചാരിച്ചു് ഉദ്യോഗസ്ഥന്മാരുടെ കണക്കുകൾ നോക്കി പറയാൻ സാധിയ്ക്കുമോ?

രാമവമ്മതമ്പുരാൻ.—എത്രയാണെന്നു കണക്കാക്കി കഴിഞ്ഞിട്ടില്ല.

മിസ്റ്റർ പി. എസ്സ്. കേശവൻനമ്പൂതിരി.—നഗരങ്ങളിൽ പരിഷ്കരിക്കുവാനായിട്ടു് ചില സ്ഥലങ്ങളെല്ലാം ഇപ്പോൾ ഗവമ്മെണ്ടിലേയ്ക്കു് എടുക്കേണ്ടിവരുന്നുണ്ടു്. ആ കാര്യത്തിൽ ഞാൻ ഗവമ്മെണ്ടിനെ കുറപ്പെടുത്തുന്നില്ല. എന്നു മാത്രമല്ല; ഈ നാട്ടിൽ കൈത്തൊഴിൽ മുതലായവയെ അഭിവൃദ്ധിപ്പെടുത്തുന്നതിനാവശ്യമുള്ള മൂലധനമില്ലെങ്കിൽ വിദേശിയ മൂലധനം ഇറക്കിട്ടെങ്കിലും അതിന്റെ വളർച്ചയ്ക്കാവശ്യമുള്ള സൌകര്യങ്ങൾ ചെയ്തുകൊടുക്കേണ്ടതാണു്. ആ കാര്യത്തിലും ഞാൻ ഗവമ്മെണ്ടിനെ കുറപ്പെടുത്തുന്നില്ല.

പക്ഷെ അവിടെ താമസിച്ചുവരുന്ന വാലന്മാർക്കു് ഗവമ്മെണ്ടിൽ നിന്നും അവരുടെ വസ്തുക്കളിന്മേൽ ചെയ്തിട്ടുള്ള ചമയങ്ങളുടെ വില കൊടുക്കണം. അതു ചെയ്യാത്ത പക്ഷം വലിയ കഷ്ടമാണു്. ഇമ്പ്രൂവുമെണ്ടു് ആക്ടിലെ തത്വം എന്താണെന്നാൽ കുടിയാന്മാരെ ഒഴിപ്പിയ്ക്കുമ്പോൾ അവർ ഭൂമിയിന്മേൽ ചെയ്തിട്ടുള്ള ചമയങ്ങളുടെ വില കൊടുക്കണമെന്നുള്ളതാണു്. എന്നാൽ പണ്ടു് സാധാരണമായി ജന്മികൾ അവരുടെ ഇഷ്ടം പോലെ കുടിയാന്മാരെ ഒഴിപ്പിയ്ക്കാറുണ്ടു്. വല്ല കരാറുകളും പറഞ്ഞിട്ടു് അവരുടെ ചമയങ്ങൾക്കുള്ള അനുഭവം ചോദിയ്ക്കുവാൻ നിവൃത്തിയില്ലാത്ത നിലയിൽ അവരെ തോല്പിക്കും. അങ്ങനെ ചെയ്യുന്നതിൽ നിന്നും കുടിയാന്മാർക്കു രക്ഷ കിട്ടണമെന്നുദ്ദേശിച്ചാണു് അതിലേയ്ക്കു് ഒരു നിയമം പാസാക്കീട്ടുള്ളതു്. എന്നാൽ വാലന്മാരായ സാധുക്കൾക്കു് അവരെ ചമയങ്ങൾ കൊടുക്കാതെ ഒഴിപ്പിയ്ക്കയില്ലെന്നു് ഒരു ധാരണയുണ്ടായിരുന്നു. നിയമമനുസരിച്ചാണെങ്കിൽ ഈ വാലന്മാർക്കു ഗവമ്മെണ്ടിൽ നിന്നും അവരുടെ ചമയങ്ങൾക്കു യാതൊരു പ്രതിഫലവും കൊടുക്കേണ്ടതില്ലായിരിക്കാം. പക്ഷെ ഗവമ്മെണ്ടിനു് ഒരു Moral obligation ഉണ്ടു്. അതനുസരിച്ചെങ്കിലും അവർക്കു് എന്തെങ്കിലും കൊടുക്കേണ്ടതാണു്. അവർ പാർക്കുന്ന സ്ഥലത്തു് സാധാരണ കുടിയാന്മാർ ചെയ്യുന്നതുപോലെ താമസിയ്ക്കുന്നതിനുള്ള സൌകര്യത്തിനു വേണ്ടി വല്ല ചമയങ്ങളും ചെയ്തിട്ടുണ്ടാകും. അവർക്കു ഇങ്ങനെയുള്ള നിയമവ്യവഹാരങ്ങൾ ഒന്നും അറിഞ്ഞുകൂടാ. വാടകയ്ക്കു താമസിയ്ക്കുന്നവർ പോലും അവരുടെ സൌകര്യത്തിനു വേണ്ടുന്ന മാറ്റങ്ങളും മറ്റും ഉടമസ്ഥന്മാർ ചെയ്തുകൊടുത്തിട്ടില്ലെങ്കിലും ചെയ്യാറുണ്ടു്. ആ ചമയങ്ങൾക്കുള്ള പ്രതിഫലം അവർക്കു് ഉടമ

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സ്ഥന്മാരോടു ചോദിപ്പാനവകാശമില്ലെങ്കിലും അതിനേക്കാൾ കൂടുതൽ അവകാശമാണ് ഇവർക്കു കിട്ടിയിട്ടുള്ളതു്. ഇങ്ങിനെ വളരെ കാലമായി കിട്ടിയിട്ടുള്ള അവകാശം വച്ചുകൊണ്ടു് അവർ അവിടെ താമസിച്ചുവരുന്ന സ്ഥിതിക്കു് യാതൊന്നും കൊടുക്കാതെ പറഞ്ഞയയ്ക്കുന്നതു വളരെ കഷ്ടമാണു്. നിയമപ്രകാരം അവർക്കു് കോടതിയിൽ നിന്നും മറ്റും വിധി സമ്പാദിപ്പാനുള്ള പരിജ്ഞാനമില്ലായിരിക്കാം. അതുകൊണ്ടു് അവരെ ഒഴിപ്പിയ്ക്കുമ്പോൾ അവരുടെ ചമയങ്ങൾക്കുള്ള ശരിയായ വില കൊടുക്കേണ്ടതാണെന്നുള്ള തത്വത്തെ അടിസ്ഥാനപ്പെടുത്തി ഞാൻ ഈ മോഷനെ അനുകൂലിയ്ക്കുന്നു.

മിസ്റ്റർ ടി. കെ. നായർ.—ഈ വിഷയത്തിൽ ഗവമ്മെണ്ടു് പറഞ്ഞ മറുപടി കേട്ടിട്ടു് എനിയ്ക്കു രണ്ടു വാക്കു പറയാതെ ഇരിപ്പാൻ തരമില്ല. ഗവമ്മെണ്ടിൽ നിന്നു് ഇവിടെ പറഞ്ഞിട്ടുള്ള നിയമവാദങ്ങൾ കേട്ടാൽ അവരോടു് എതിരിട്ടിരിക്കുന്നതു് വല്ല തിരുവിതാംകൂർ ഗവമ്മെണ്ടോ ബ്രിട്ടീഷ് ഗവമ്മേണ്ടോ പാലിയമോ മറ്റൊ ആണെന്നു തോന്നും. License അനുസരിച്ചാണു് വാലന്മാർ താമസിയ്ക്കുന്നതു്. അതിലെ നിശ്ചയമനുസരിച്ചു് അവരെ ഒഴിപ്പിയ്ക്കാം എന്നും മറ്റുമുള്ള വാദങ്ങൾ ഈ സാധുക്കളായ വാലന്മാരുടെ നേരെയാണോ പ്രയോഗിക്കുന്നതു്! കഷ്ടം!! നിയമം അനുവദിയ്ക്കുന്നുണ്ടെന്നു മാത്രം വിചാരിച്ചു് അസംഖ്യം സാധുക്കളെ അവരുടെ പുരകളിൽ നിന്നിറക്കി അയക്കുന്നതു് ധർമ്മമാണോ? ഗവമ്മെണ്ടാവശ്യത്തിനു് സ്ഥലങ്ങൾ ഒഴിച്ചുവാങ്ങേണ്ടതായി വന്നേക്കാം. എന്നാൽ അതേ അവസരത്തിൽ ഒഴിപ്പിച്ചയക്കുന്നവരുടെ സ്ഥിതിയെ പറ്റി ആലോചിച്ചു് വേണ്ടതു് നിവൃത്തിക്കേണ്ടതും ഗവമ്മെണ്ടിന്റെ കടമയാണു്. ഫാവുകഴിഞ്ഞു് ഫാ വു വു -ഭാണു് ഈ ഏർപ്പാടുണ്ടായതെങ്കിൽ ഇപ്പോൾ ന്യായമായ Compensation കൊടുക്കേണ്ടതായി വരില്ലേ? ഇപ്പോൾ അവരെ ഒഴിപ്പിക്കാൻ മാത്രമുള്ള ഒരു സൂത്രമാണിതെന്നു എനിയ്ക്കു തോന്നുന്നുള്ളു. ഇതിന്റെ ന്യായഭാഗം മാത്രം ഗവമ്മെണ്ടാലോചിച്ചാൽ മതി. നിയമവാദങ്ങളൊന്നും ഇവിടെ കൊണ്ടുവരേണ്ട. നിയമവാദങ്ങൾ കോടതിയിൽ പോയിട്ടു മതി. അപ്പോൾ വാലന്മാരുടെ ഭാഗത്തും കുറെകൂടി ശക്തിയായി വാദിപ്പാൻ ആളുകൾ ഉണ്ടായി എന്നു വരാം. നിയമവാദം ഒരാൾക്കു മാത്രമേ പാടുള്ളു എന്നില്ലെല്ലോ. ന്യായമായി ആലോചിച്ചാൽ ഇത്ര കാലം അവരെ രക്ഷിച്ചു വന്നിട്ടുള്ള ഗവമ്മെണ്ടു് ഇപ്പോൾ രക്ഷിക്കുവാൻ ഒരുങ്ങുന്നതു് ശരിയായിട്ടില്ലെന്നു് ആക്ഷേപം തോന്നാം. ആദ്യം ഒരു Colony യും മറ്റും ഉണ്ടാക്കി കൊടുത്തു് അവരെ നന്നാക്കുവാനാണു് ശ്രമിക്കുന്നതെന്നു പറഞ്ഞു. ഞങ്ങളെ നിങ്ങൾ എത്ര നന്നാക്കിയാലും നന്നാകയില്ലെന്നു് അവർ പറഞ്ഞാൽ

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അവരുടെ ഇഷ്ടംപോലെ വിടുകയല്ലേ വേണ്ടു. അവരെ നിർബ്ബന്ധിയ്ക്കുണ്ടെ ചുമതലയുണ്ടോ? ഇതു സംബന്ധിച്ചിട്ടുള്ള ഹർജ്ജികളും ആക്ഷേപങ്ങളുമെല്ലാം കുറേക്കാലമായി കേൾക്കുന്നു. ഞങ്ങൾക്ക് പണം മതി, ഞങ്ങളുടെ സ്ഥലങ്ങൾക്ക് തക്ക പ്രതിഫലം കിട്ടിയാൽ മതി എന്നാണ് അവർ പറയുന്നതു കേൾപ്പാൻ എന്താ വിരോധം? നിങ്ങൾ പറയുന്ന സ്ഥലത്തു അവർ താമസിപ്പാൻ തയ്യാറില്ലെന്നു അവർ പറയുന്നുള്ളു. ഈ വിധം അവരെ ആട്ടിപ്പുറത്താക്കിയ്ക്കുവാൻ ഇവിടെ വല്ല martial law യോ മറ്റൊ നടപ്പാക്കീട്ടുണ്ടോ? Burmah Oil Company ക്കാക്കു് ഈ സ്ഥലം കൊടുക്കാതിരിപ്പാൻ ഗവമ്മെണ്ടിനു നിവൃത്തിയില്ല! എന്നാൽ അതിനു വേണ്ട, ഈ സാധുക്കളെ എന്തിനിട്ടു് അരയ്ക്കുന്നു? അൻപതിനായിരം രൂപാവരെ ചിലവിട്ടു് ഒരു കാളനായുണ്ടാക്കി അവിടെനിന്നും വേറൊരു കമ്പനിക്കാരുടെ ആവശ്യത്തിനായി ഇവരെ ഓടിയ്ക്കുകയല്ലേ എന്നു് ഒരു മാന്യ മെമ്പർ ചോദിച്ചതിനു് ഇത്ര അധികം സംഖ്യ ചിലവാക്കിയശേഷം അതിൽനിന്നു ഗവമ്മെണ്ടു് ഇവിടെ പുറത്താക്കുമെന്നു വിചാരിയ്ക്കുന്നതിൽ യാതൊരു അത്ഭുതവുമില്ലെന്നു സിക്കുട്ടറി അവർകൾ പറയുകയുണ്ടായല്ലോ. അതിനു മറുപടിയായി ഒന്നു പറഞ്ഞുകൊള്ളട്ടെ. ആനപ്പാറയിൽ എത്രലക്ഷം രൂപാ ചിലവഴിച്ചു. അവസാനം ഗവമ്മെണ്ടു് അവിടെ ചെയ്തതെന്താണു്? പണം ചിലവഴിച്ചതിനെ അടിസ്ഥാനപ്പെടുത്തിയാണോ നിങ്ങളുടെ തീർപ്പുണ്ടായതു്? ആ വകയൊന്നും പറയാതിരിയ്ക്കുന്നതാണു നല്ലതു്. ഗവമ്മെണ്ടു് ഇവർക്കു വേണ്ടി ഒന്നും ചെയ്തുകൊടുക്കണ്ടാ അവർ ഇഷ്ടമുള്ളിടത്തു പോയി താമസിച്ചുകൊള്ളട്ടെ. Struggle for existence എല്ലാവർക്കും ബാധകമാണു്. ഉദ്യോഗസ്ഥന്മാർക്കു സമ്പളമില്ലെങ്കിൽ ബുദ്ധിമുട്ടായി. ഈ താണതരക്കാർക്കു ജോലിയില്ലെങ്കിലും ബുദ്ധിമുട്ടായി. ഈ സാധുക്കളെ സഹായിപ്പാനാണു് ഗവമ്മെണ്ടുദ്ദേശിയ്ക്കുന്നതെങ്കിൽ അവർക്കു ന്യായമായ compensation കൊടുക്കണം. Burmah Oil കമ്പനിക്കാർക്കു നാളെ ഈ റെസ്റ്റ്ഹൗസും തന്നെ വേണമെന്നു പറഞ്ഞാൽ ഒഴിഞ്ഞു കൊടുക്കാതെ ഗവമ്മെണ്ടിനു തരമില്ല! ഇതുപോലെ മറുകമ്പനിക്കാരും വരികയാണെങ്കിൽ ഇനിയും സ്ഥലങ്ങൾ ഒഴിപ്പിച്ചു വാങ്ങേണ്ടിവരും. അതെല്ലാം ഗവമ്മെണ്ടിന്റെ ഇഷ്ടം. എന്നാൽ ഈ സാധുക്കളെ ഇങ്ങിനെ നിയമവാദം കൊണ്ടെതിർക്കാതെ അവരുടെ ഇടയിലിട്ടു് അരയ്ക്കാതെ അവർക്കു ന്യായമായി കൊടുക്കുവാനുള്ള സംഖ്യ കൊടുത്തു് അവരെ തൃപ്തിപ്പെടുത്തായില്ലെങ്കിൽ വലിയകഷ്ടമായിട്ടാണു തീരുക. അതുകൊണ്ടു് ഈ കാര്യത്തിൽ ഗവമ്മെണ്ടു ദയവായി ആലോചിയ്ക്കണമെന്നു് അപേക്ഷിയ്ക്കുന്നു.

മിസ്റ്റർ പി. കുമാരനെഴുത്തച്ഛൻ.—ഇതിനു വില നിശ്ചയിച്ചു കഴിഞ്ഞോ?

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Rama Varmha Tampuran.—There is a valuation statement with the Tahsildar. It comes to about 21 thousand rupees.

മിസ്റ്റർ പി. കുമാരനെഴുത്തച്ഛൻ.—ഈ വിഷയത്തെ കുറിച്ച് എന്തെങ്കിലും പറയണമെങ്കിൽ ഒന്നുരണ്ടു വിവരങ്ങൾ അറിയാതെ തരമില്ല. അതിൽ ഒന്നു ഞാൻ ചോദിച്ചു ചോദിച്ചുകൊണ്ട് മനസ്സിലാക്കികഴിഞ്ഞു. രണ്ടാമത്തേതു അതിൽപിന്നീട്ടുള്ള മറുപടിയിൽനിന്നും കേൾക്കുകയും ചെയ്തു. വളരെ സന്തോഷമായി.

ദേവമ്മേണ്ടിൽനിന്നു് ഇപ്പോൾ അംശകരിച്ചിട്ടുള്ള നിലകണ്ടാൽ ബാക്കി നൂറു വീട്ടുകാർക്കുകൂടി പോകാത്തതിനു് അവർക്കു ഒരു രക്ഷ കല്പിച്ചിരിയ്ക്കുന്നമാതിരിയിൽ തോന്നുന്നുണ്ടു്. എന്താണെന്നുവച്ചാൽ പോകാൻ സമ്മതിച്ചവരായിരിയ്ക്കുന്ന നൂറു വീട്ടുകാർക്കും ർ 0,000 രൂപാ ചിലവാക്കി കേമമായ ഒരു കോളനി പണിതിട്ടുണ്ടെന്നു പറഞ്ഞു. അവർക്കായിട്ടു് ഒരു ർ0,000 രൂപാ നമ്മുടെ സൌജന്യമേറിയ ദേവമ്മേണ്ടിൽനിന്നും ചിലവാക്കി നിങ്ങളും പോകണമെന്നു മറേറ അറുപതു വീട്ടുകാരോടു പറഞ്ഞപ്പോൾ ഞങ്ങൾക്കും അതുപോലെ കിട്ടണമെന്നു് അവർ പറയുന്നു. ഇവർക്കും അതുപോലെ ഒരു ർ0,000 രൂപാ കൊടുക്കരുതേ? ഇവരും കൂടി അങ്ങോട്ടു ചേരുകയാണെങ്കിൽ ർ0,000 രൂപാ ചിലവു വേണ്ടിവരുകയില്ലേ? ഫ,000 രൂപാകൂടി ചിലവുചെയ്താൽ മതിയെന്നാണു് സിക്രട്ടെറി അവർകൾ പറയുന്നതു്. എന്റെ മാന്യസ്നേഹിതൻ പറഞ്ഞമാതിരി ഇതിൽനിന്നും പിന്നോക്കം പോകാതിരിക്കുകയാണു് വേണ്ടതു്. ഇപ്പോൾ കൊടുക്കാമെന്നേറ്റിട്ടുള്ളതെല്ലാം അവർക്കു കൊടുത്താൽമതി. വരുന്ന ഫ0ന്-ലെ ബഡ്ജറ്റിൽ എങ്കിലും ചേർത്ത ബഡ്ജറ്റു് മുമ്പാടയായിട്ടു തയ്യാറാക്കിയാൽ മതിയായിരുന്നു. വേറെ എത്രയോ കാര്യങ്ങൾക്കായി ദേവമ്മേണ്ടിൽനിന്നും പണം അന്യായമായി ചിലവാക്കിവരുന്നുണ്ടു്? അതേതെങ്കിലും നിർത്തൽ ചെയ്താൽ ഈ ഫ,000 രൂപാ ഇതിലേക്കെടുക്കുന്നതിനു യാതൊരു ബുദ്ധിമുട്ടും ഉണ്ടാകുന്നതല്ല. ഡി. പി. ഡബ്ലിയു. ക്കാർക്കുതന്നെ ഇപ്പോൾ കൊടുത്തുവരുന്നതിൽ ഏതാനും ചില ഇനങ്ങൾ പിടിച്ചു കൊടുത്തുള്ളു എങ്കിൽ അവർക്ക അതിൽ വലുതായ ആക്ഷേപമൊന്നും ഉണ്ടാകുമെന്നു തോന്നുന്നില്ല. പണമുണ്ടാക്കുവാൻ പല വഴികളുമുണ്ടു്. അവർക്കു കൊടുക്കണമെന്നു സന്മനസ്സു ദേവമ്മേണ്ടിനുണ്ടായിരുന്നാൽ മതി. അവർക്കു പണം കൊടുക്കുന്ന കാര്യത്തിൽ അനുവദിക്കാതിരിക്കുവാനുള്ള മനസ്ഥിതി ഈ കൌൺസിൽ മെമ്പർമാരിൽ ആർക്കുംതന്നെ ഉണ്ടായിരിക്കുകയില്ല. അതു വേണ്ട എന്നു ദേവമ്മേണ്ടിനു മാത്രമെ വിചാരമുള്ളു. ഇനി ഈ കൊടുക്കുവാൻ പോകുന്ന compensation-ന്റെ സ്വഭാവം എന്താണെന്നു നോക്കാം. ഓരോ വീട്ടുകാർക്കു പതിനായിരത്തു രൂപയോ മറെറാ ആണത്തെ കൊടുക്കുവാനുദ്ദേശം. ഓരോ

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വീട്ടുകാർക്കും മുതുങ്ങിയതു 40 000 രൂ. വീതമെങ്കിലും കൊടുക്കേണ്ടി വരും. പിന്നെ ഇതൊക്കെ ഇപ്പഴവ മെമ്പർ പറഞ്ഞതുപോലെ ഇതിലെ കളവു മുഴുവനും നോട്ടീസു് കൊണ്ടു കാണാം. ഈ പ്രതിഫലം നശ്ശയിച്ചതു എന്നാണെന്നു് ഇവിടെ ചോദിച്ചറിയേണ്ടതായിരുന്നു. അപ്പോൾ കാണാം ഈ സംഖ്യ മുതുങ്ങിയതു് ആ കാലത്തിന്റെ വൈഭവം മാത്രമാണെന്നു്. അവനവന്റെ കാര്യത്തിൽ ഏറ്റവും ശ്രദ്ധയും ഉത്സാഹവുമുള്ളവർ മറ്റുള്ളവരുടെ കാര്യങ്ങളിൽ ഇതെല്ലാം മറന്നുപോകുന്നതു സ്വാഭാവികമാണു്. അതുയേ ഉള്ളു ഈ ഉത്തരവു് പാസ്സായതു ഇന്നലെ ഉച്ചതിരിഞ്ഞായിരുന്നുവെങ്കിൽ പ്രതിഫല സംഖ്യ തുച്ഛമായ 40 000 രൂ. മാത്രമാകുകയില്ലായിരുന്നു. ഏതായാലും ബഹുമാനപ്പെട്ട തുഗ്ലിവപേരൂർ മെമ്പർ ഇവിടെ കൊണ്ടുവന്ന മോഷനെ ലക്ഷ്യമാക്കി ഗവ വമ്മേണ്ട ഈ അഭോസമായ നില മാറ്റി ഇനിയെങ്കിലും അവർക്കു ന്യായമായ compensation കൊടുക്കണമെന്നു ഗവമ്മേണ്ടിനോടും വ്യ ക്തമായി പിന്നാക്കം ചാടാൻ ശ്രമിക്കരുതെന്നു നിയമമെമ്പരോടും അപേക്ഷിച്ചു കൊള്ളുന്നു.

Mr. Joseph Pettah.—May I ask the Government just one question. They have now spent something like 40 thousand rupees on 80 families who are going to be accommodated in Thoosam. That would be on an average of Rs. 500 for a house. What would be the objection to pay them at least 5 years' interest on this Rs. 500?

Rama Varmha Tampuran.—But where will they move to?

Mr. Joseph Pettah.—They will find their own houses.

Mr. George Chakyamuri.—If you give compensation for these houses I shall see that some people go to Thoosam and for the remaining they will shift for themselves.

Mr. Joseph Pettah.—From the trend of the discussion in this Council I understand that nobody is willing to go there.

Mr. A. Sankara Poduval.—As a matter of fact nobody has ever consented to go there.

Mr. P. Krishna Menon.—Sir, from this we can very well imagine the nature of the colony that the Government have constructed there. If it is a so well considered and executed project I cannot understand why these poor people should refuse to go to places built at Rs. 350. The whole mystery seems to me to be this: Some scheme or plan was pitched upon without consulting those in whose interest they were intended, forgetting the one principle that the "wearer alone knows where the shoe pinches". That wearer was not consulted. Somebody launched a scheme and the Government blindly accepted that. If not, there is absolutely no reason why people who were living in hovels should refuse to go to the places which have been built for

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them with the special considerations of hygienic conditions at considerable cost. I do not wish to go into that.

To quote the Hon'ble Member for Engineering "the exact method of compensating those who are not going to Pachalam has not yet been settled". After this statement on behalf of the Government, they have settled now that the compensation is to take the form of a bayonet charge. That is exactly what has been done. They are asked to quit within 14 days. This is the compensation that the poor people are to get for serving the Royal Family and the distinguished visitors who come here and who had been the most law abiding citizens from the beginning of life. Now I submit it is a very hard case. I would only ask the sympathy of the Government Advocate to find out some law which will enable the Government to give them a reasonable compensation. I make this appeal with some grounds. I remember reading, some time ago, an article in the Madras papers. The Madras Government had some doubt about a legal point. It was referred for the opinion of the Hon'ble Sir V. Bhashyam Ayyangar than whom no erudite lawyer existed at that time. He wrote a reply saying that he has selected 60 authorities for each side of the question, but as the letter of reference did not indicate the point that the Government wanted, he requested the Government to let him know which side they wanted to support, and then he promised to give another 60 for that side. That is the state of affairs so far as law is concerned. Therefore I request the Hon'ble Law Member to find out some law whereby the enforcing of that law will be just and equitable. After all it is a commitment to the extent of Rs. 20 thousand only and if anyhow these people are to go there the Government will have to spend that. 38 thousand was the estimate for 120 huts. Now they have built only 44, and if I am right they have to build another 12 or 14 to complete the plans now prepared. If they are to build the whole 120 houses they will have to spend much more than 20 thousand that is now proposed to be sufficient. I request the Government will sympathetically consider this question.

Mr. George Chakyamuri.—I request the question be now put.

Mr. M. K. Raman.—I second it.

Deputy President.—I think you should move a closure motion only after sufficient time is given to the persons on the other side to speak.

Mr. K. Achyuta Menon.—Sir, I rise to oppose the motion. An appeal was made to me by the Hon'ble Member for Wadakkancheri to find out whether the law is not on the side of the Valans. Even before the appeal was made to me I tried my

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very best to find out whether there was anything in law in support of their claims. If the Hon'ble the distinguished Member for Trichur and the distinguished lawyer Member for Kattur could not find anything in favour of the Valans, then how am I in a position to find any such thing?

There are two aspects to this question, the legal and the moral. I am not very much concerned with the latter aspect. I do maintain that they are not within their rights in claiming compensation. On that point all are agreed. I do not think I will be charged with the grave crime of manufacturing law to suit the case for the Government. We must consider the matter in a dispassionate manner, because if we are to work ourselves up to dead heat of indignation arguments are likely to evaporate. Now what is the position? I submit the very best evidence in support of the action of the Government I can find, is in the speeches of some of the Hon'ble Members during the budget session of the Council.

One Hon'ble Member said:—ഞാനും ഇതു സംബന്ധിച്ച് രു കുട്ടമോഷൻ അയച്ചിരുന്നു. അതിന്റെ ശേഷം ഞാൻ ഈ സംഗതിയെപ്പറ്റി അന്വേഷണം നടത്തിയതിൽ ഇപ്പോൾ ഗവ മ്മേണ്ടിൽനിന്നും ഉണ്ടായിട്ടുള്ള 'സ്കീം' വാലന്മാർക്കു വളരെ ഉപകാരമായിത്തീരുമെന്നു വാലന്മാരുടെ ഇടയിൽനിന്നുതന്നെ അറിയുന്നു.

Evidence of the very best kind, and that first hand from the community affected itself.

'വളരെ സന്തോഷത്തോടുകൂടി' (that dispels all idea of bad motives.) അവർക്കു വാർക്കാനും മറ്റുമുള്ള സൌകര്യങ്ങൾ ചെയ്തു കൊടുക്കുവാൻ ഗവർമ്മെണ്ടു സമ്മതിച്ചിട്ടുള്ളതുകൊണ്ടു് വാലന്മാരുടെയിടയിൽനിന്നും ഈ സ്കീമിനു യാതൊരെതിരും ഇല്ല. എന്നാലും പേർക്ക് അവിടെനിന്നും പോകുവാൻ മനസ്സില്ല.

There will be a number of dissenters in every assembly, including that of the Valans.

Mr. K. Ayyappan.—I said to-day also.

Mr. K. Achyuta Menon.—Why should the Member become nervous?

These extracts which I read out are from the speech of a very intelligent and competent critic, the Hon'ble Member for South Ezhuvas.

Then I pass on to another critic of a different community, a very respectable Member of this House:—

"Sir, I rise to oppose this motion. From what I could gather from the comparatively enlightened members of the Vala community in that locality, I understand that the majority of the

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Vala community is in favour of the scheme of Pachalam colonisation. The only difficulty is in the case of those who are employed in public offices in the town who will find it very difficult to walk all the way from Pachalam to the Ernakulam town every day and return to their huts and it is these people that object to being compelled to go to Pachalam and settle down there. As for these people Government are considering the question of helping them with loans. About the advance of loans they have put forward a very reasonable proposal also. Loans may be placed at the disposal of a Co-operative Society of which they are members and money may be advanced and recovered through that society. If that proposition can be sympathetically considered by the Government there should be no reason why the Valans or anybody else should object to this colonisation scheme which is designed in the best interests of the Vala community and which will be for the last good of that community"—another respectable, disinterested and competent observer, the Muslim Member.

Then the Hon'ble Member for Vellarapally also spoke in very eloquent terms opposing the motion. I will be content by saying that 3 Hon'ble Members of different communities of this House have strongly supported the Government in their colonisation scheme, in a most dispassionate manner. And I submit it is not necessary to multiply instances of this sort. The Hon'ble Members admit that the conception is alright, but they object to the execution on grounds, which it is very difficult to understand.

Mr. K. Ayyappan.—Because we did not know at that time your real intention.

Mr. K. Achyuta Menon.—The intention is alright.

Dr. A. R. Menon.—I deny it.

Mr. K. Achyuta Menon.—The question of the Pachalam scheme is in the best interest of the Vala community. The only trouble is with regard to the compensation and here the position in law is quite clear. The position in law is that they cannot claim compensation as a matter of right, but only as a matter of grace.

Dr. A. R. Menon.—Will you kindly read clause (4)?

Mr. P. Kumaran Ezhuthassan.—Which is the agreement please?

Mr. K. Achyuta Menon.—C. 3497/1085.

Deputy President.—Is there any reference that they should remove their houses?

Mr. K. Achyuta Menon.—It is a concession given to them. If they leave their houses there, that is their concern.

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The Hon'ble Member for Trichur is under a misapprehension with regard to another question of law. The Hon'ble Member very much doubts whether the Land Conservancy Regulation will apply in this case. He was careful not to read the explanation to the section. There lies the cleverness. The explanation to the section is this:—

"A tenant holding over after due notice in writing to quit shall be deemed to be a person unauthorisedly occupying within the meaning of this Regulation."

Dr. A. R. Menon.—Are they tenants ?

Mr. K. Achyuta Menon.—They are. What the Hon'ble Member contends for is in direct violation of the explanation to the section. The question of compensation is purely a question of grace. They are not by law, entitled to any compensation and the Government can't give this concession to the Valans alone. No preferential claims have been made out in their case. If we give this concession to one particular community, we should extend the same to others also. The Valans were given in the first instance, full compensation when they were asked to shift to Pachalam.

Mr. K. Ayyappan.—How much compensation was given to them ?

Mr. K. Achyuta Menon.—The value of their houses.

Mr. K. Ayyappan.—Then why not give them now ?

Mr. K. Achyuta Menon.—Because there was no agreement then. But now there is an agreement. Though Rs. 10 is the compensation that is proposed to be given to them, the compensation given is over and above the house. Rs. 10 is not given in substitution for the house. They are at perfect liberty to take away all their improvements and they are given another Rs. 10 each towards putting the houses elsewhere.

Mr. George Chakyamuri.—I move that the question be now put.

Mr. M. K. Raman.—I second it.

Motion put and carried.

Mr. A. Sankara Poduval.—I do not want to take up much time in reply, at this late hour. All that I am interested in submitting to this House is that I have not tabled this motion to test the legality of the order. The Hon'ble Law Member has pointed out that the position taken up by me is not sound. For reasons which he could very well appreciate, I am not going to say why the Land Conservancy Regulation does not apply to this matter. That will be a plea in the hands of the poor Valans if the occasion should arise to use it in a Court of Law. I am here, making this motion, appealing to the good sense of the Government, appealing to the desirability of keeping up the

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plighted word of the Government. So far as the Valans are concerned they are not willing to shift to a distant place. It has been definitely stated in replying the Hon'ble Member for Wadakkancheri, that some sort of compensation would be given. Now, why do you eject these poor people without giving them some sort of compensation? Compensation is not an amount paid to demolish a building. It is something which is paid to the occupant or the licensee who is in possession of the holding for improvements. Government says you will be paid a maximum of Rs. 10 for each homestead. Each occupant would be paid an amount of money to have the building demolished and materials taken away. Now that is no compensation within the meaning of the plighted word of the Government. It is the duty of the Government to respect that. I ask the benign Government, who have been extremely sympathetic towards the Valans, why sympathy should not be extended to them now. Apart from legal aspect, if it is purely a question of grace, as stated by the Hon'ble Law Member, why should it be extended to all licensees. Just for example if a person on his birthday were to give presents to his servants, the amounts may vary; he might give 10, 12 or 15 rupees to each according to his will, and there is no compulsion that he should reward all the menials. If these poor Valans in the estimation of the Government deserve sympathy, they may be given something and it may be granted as a matter of grace and not as a matter of right. If the Government thinks that the same charity should not be extended to others, they need not do so. I say there are peculiar circumstances in this case why such sympathy should be extended to the Valans. The extracts read from the speeches of the Hon'ble Members here do not in any way affect the question. There the question of paying compensation did not arise at all These Hon'ble Members were in favour of the Pachalam scheme. I do not believe any Hon'ble Member here objected to the Pachalam scheme at all.

I find from the Cochin Government Gazette that "Honour is the family treasure" of the Government. I say extend this honour to the poor Valans. Let me remind this House that we are not here to fight. "സമ്പ്രതിയും വിവാഹവും വ്യവഹാരത്തിലും തന്നിൽക്കുറഞ്ഞവരോട് വേണം" says the Mahabharata. If you carry on litigation, it must be with an equal. The Valans are not able to fight Government. I ask the Government who has as its motto "Honour is our family treasure" not to break the pledge contained in the assurance given during the budget session. Extend this sympathy to the Valans. Their buildings have been valued at about twenty thousand rupees and I

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assure the House that that was very low valuation. And these people asked to go away on receipt of Rs. 10 each for pulling down their houses. Government do not propose to pay any amount to them for constructing houses elsewhere. That is the situation which the House will be pleased to appreciate.

I beg to press the motion to a division.

Mr. U. Kandar Menon.—Sir,

Dr. A. R. Menon.—With due deference to the Chair, it is very doubtful whether he has got any right of reply.

Deputy President.—The President has the discretion; we have got ample time.

Mr. U. Kandar Menon.—Sir, the circumstances under which these people happen to be there are contained in the Diwan's Proceedings dated 23rd Thulam 1083, C. No. 3497/85. That is the arrangement under which the Valans were allowed to go and live there. The Government found it necessary now to resume the land for their own purpose. For the use of these Valans the Government acquired lands at Pachalam and put up buildings there to accommodate them. Some of them are now unwilling to go and settle down there. It is not the fault of the Government. The Government have already constructed 40 or 50 houses and they are prepared to construct houses for the remaining families also. The Valans are not entitled as a matter of right to claim any compensation but still the Government did not want to send them away without providing houses for them elsewhere.

Mr. George Chakyamuri.—What is the objection in giving money instead of building the houses there?

Mr. U. Kandar Menon.—We have already constructed the houses.

Dr. A. R. Menon.—Have the Government consulted the Valans before they embarked upon this colonisation scheme?

Mr. U. Kandar Menon.—It was done with their consent. Will the Government spend so much money without consulting them? Through the Revenue Department they were consulted. Now certain people influence them not to go. That is the difficulty.

Dr. A. R. Menon.—May I know, Sir, if these people who are now complaining, promised to accept this site? Let us have a clear understanding.

Mr. U. Kandar Menon.—There is no record to show that each and every family consented.

Mr. K. Ayyappan.—There is a statement, I think, that they do not want to go.

Mr. U. Kandar Menon.—Even there, they only requested the Government not to build houses there. They do not say

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that it was without their consent or against their will that this scheme was started. The Government are providing these families with better houses.

Deputy President.—The Hon'ble the Leader of the House will please address the Chair.

Mr. U. Kandar Menon.—Yes, Sir. Once the Government decide to give compensation, then even the 60 persons who are now willing to go will come and say that they also want the money. I submit the Government's action is quite justified. They are quite prepared to do what is necessary to provide houses for the remaining families also.

Mr. I. N. Menon.—Sir, if the President will allow me, I wish to speak a few words.

Deputy President.—I don't think I will give any more opportunity. I think I have given sufficient time for the Official Members to speak.

Mr. I. N. Menon.—Sir, I bow to your ruling.

Motion put and carried.

Dr. A. R. Menon.—A poll, Sir.

The house divided—Ayes 17, Noes 12 and Neutrals 3.

Ayes.

1 Mr. K. Ayyappan
2 ,, George Chakyamuri
3 ,, K. M. Ibrahim
4 ,, P. S. Kesavan Nambudiri
5 ,, P. Krishna Menon
6 ,, T. K. Nayar
7 ,, P. Kumaran Ezhuthassan
8 ,, A. I. Mani
9 ,, Paul Mampilli
10 ,, Popatlal Goverdhan Lalan
11 ,, T. A. Ramachandra Ayyar
12 ,, M. K. Raman
13 Dr. A. R. Menon
14 ,, K. Sankara Menon
15 Mr. A. Sankara Poduval
16 ,, K. P. Vallon
17 ,, P. C. Virkey

Noes.

1 Mr. K. Achyuta Menon
2 ,, V. K. Aravindaksha Menon
3 ,, M. P. Cherian
4 ,, U. Kandar Menon
5 ,, C. J. Mathew
6 ,, T. Narayana Menon
7 ,, I. N. Menon
8 ,, P. Nilakanta Menon
9 Rama Varmha Tampuran
10 Dr. D. Raghavendra Rao
11 Mr. P. V. Raphael
12 ,, P. V. Subramania Ayyar

Neutrals.

1 Mr. E. Ikkanda Warriar.
2 ,, Joseph Pettah.
3 Mrs. Swaris.

The House rose for the day at 5-15 p. m.

C. J. MATHEW,

Secretary to the Council.

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